IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5147 OF 2002

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri Pethe for the Petitioner.

CORAM : ABHAY S.OKA, J.
DATED : JUNE 06, 2007.

P.C.:

1. In this Writ Petition under Article 227 of the Constitution of India, challenge is to order dated 26th April, 2001 passed by the District Court by which Application for temporary injunction made by the original Plaintiff has been allowed and the present Petitioner (original Defendant No.8) has been restrained from making any construction on suit plot and from alienating the suit plot. The order of injunction is operating for last more than six years. The order is purely discretionary. The order has been passed obviously in aid of final relief which is prayed for in the suit.

2. No case is made out for interference with the discretionary order. Writ Petition is

rejected.

3. The trial Court will decide the suit as expeditiously as possible and preferably on or before 31st December, 2007. The suit will be decided by the trial Court without being influenced by the impugned order and the confirmation thereof by this Court.

JUDGE